

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MACK TRUCKS, INC.,

INDEX #:  
07 CV 3631  
DATE FILED:  
05/08/2007

- against -

JOHNNY M., LLC, AND  
COMPONENTS BY JOHN MCCOY, INC.,Plaintiff(s)  
Petitioner(s)Defendant(s)  
Respondent(s)JUDGE:  
CROTTY

STATE OF NEW YORK: COUNTY OF ALBANY: ss:

J.R. O'ROURKE, BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK

That on 05/16/2007, 01:30PM at 41 STATE STREET, ALBANY NY, deponent served the within SUMMONS IN A CIVIL ACTION, COMPLAINT &amp; COPY OF INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE DEBRA FREEMAN on JOHNNY M., LLC, a defendant in the above action.

Deponent served CAROL VOGT, an employee with the NEW YORK Secretary of State, with 2 copies of the above described papers and a fee of \$40.00, pursuant to section 306 of the BCL.

## DEPONENT DESCRIBES THE INDIVIDUAL SERVED AS FOLLOWS:

Sex F Approximate age 41 Approximate height 5'04" Approximate weight 130 Color of skin WHITE Color of hair BROWN Other GLASSES

MAIMONE & ASSOCIATES  
PLLC170 OLD COUNTRY ROAD  
SUITE # 502  
MINEOLA, NY 11501  
(516)390-9595  
J.R. O'RourkeSworn to before me on 05/17/2007  
PATRICIA A. BURKE NO. 4922372  
NOTARY PUBLIC STATE OF NEW YORK  
QUALIFIED IN ALBANY COUNTY  
COMMISSION EXPIRES FEB 28, 2010